From: Bartley, Richard [Bartley.Richard@epa.gov]

**Sent**: 3/8/2019 5:52:15 PM

**To**: Payne, James [payne.james@epa.gov]

CC: Harrison, Ben [Harrison.Ben@epa.gov]; Smith, Suzanne [Smith.Suzanne@epa.gov]; Watson, Lucinda

[Watson.Lucinda@epa.gov]

Subject: SSM in SIPs - Background Material for Monday's Pre-Briefing for Tuesday's DD Level Call between Region 4, 6 and HQ

(PRIVILEGED COMMUNICATION)

Attachments: Natural Resources Defense Council v EPA.pdf; Luminant - 5th Cir. (Mar 25, 2013).pdf; SSM SIP Call - Background

Pager for Jim Payne.docx

#### PRIVILEGED COMMUNICATION - EXCLUDING ATTACHED CASE OPINIONS

Hi Jim -

# Ex. 5 AC/DP

Rick

Richard H. Bartley | Air Programs Coordinator | Office of Regional Counsel | U.S. EPA Region 6 | 214.665.8046

CONFIDENTIALITY NOTICE: The contents of this transmission and any attachments may contain deliberative, attorney-client, attorney work product, or otherwise privileged material. Do not release under FOIA without appropriate legal review. If you are not the intended recipient or believe you have received this communication in error, please do not read, print, distribute, copy, retransmit, disseminate, otherwise use the information, or take action in reliance upon this communication. Rather, please immediately notify me and delete the transmission and all attachments from your machine including all storage media, whether electronic or hard copy. Thank you.

From: Bartley, Richard [Bartley.Richard@epa.gov]

**Sent**: 4/22/2019 3:58:04 PM

To: Donaldson, Guy [Donaldson.Guy@epa.gov]

CC: Smith, Suzanne [Smith.Suzanne@epa.gov]; Shar, Alan [shar.alan@epa.gov]; Bianco, Karen [Bianco.Karen@epa.gov];

Lessard, Patrick [Lessard.Patrick@epa.gov]

Subject: RE: Texas SSM SIP Call - Additional Materials

Thanks for the update.

From: Donaldson, Guy

Sent: Monday, April 22, 2019 10:56 AM

To: Bartley, Richard <Bartley.Richard@epa.gov>

Cc: Smith, Suzanne <Smith.Suzanne@epa.gov>; Shar, Alan <shar.alan@epa.gov>

Subject: Re: Texas SSM SIP Call - Additional Materials

## Ex. 5 AC/DP

Sent from my iPhone

On Apr 22, 2019, at 10:11 AM, Bartley, Richard <a href="mailto:88874">88874</a> & Bartley, Richard @epa.gov> wrote:

Hi Suzanne & Guy -

# Ex. 5 AC/DP

Rick

Richard H. Bartley | Air Programs Coordinator | Office of Regional Counsel | U.S. EPA Region 6 | 214.665.8046

CONFIDENTIALITY NOTICE: The contents of this transmission and any attachments may contain deliberative, attorney-client, attorney work product, or otherwise privileged material. Do not release under FOIA without appropriate legal review. If you are not the intended recipient or believe you have received this communication in error, please do not read, print, distribute, copy, retransmit, disseminate, otherwise use the information, or take

action in reliance upon this communication. Rather, please immediately notify me and delete the transmission and all attachments from your machine including all storage media, whether electronic or hard copy. Thank you. <Region 6 Draft SSM FAQs - April 18, 2019.docx> <Talking points SSM Texas 18 April 2019.docx>

From: Bartley, Richard [Bartley.Richard@epa.gov]

**Sent**: 3/1/2019 4:20:22 PM

**To**: Smith, Suzanne [Smith.Suzanne@epa.gov]

Subject: RE: SSM SIPs

Attachments: R6 Consistency Paper - Texas SSM - ADD call March 2019 - March 1 Draft.docx

## Ex. 5 AC/DP

Thanks,

Rick

From: Smith, Suzanne

**Sent:** Friday, March 01, 2019 10:16 AM

To: Bartley, Richard <Bartley.Richard@epa.gov>

Subject: RE: SSM SIPs

## Ex. 5 AC/DP

Suzanne J. Smith | Multimedia Counseling Branch Chief Office of Regional Counsel | EPA Region 6 | 214.665.8027

From: Bartley, Richard

Sent: Friday, March 01, 2019 10:04 AM

To: Smith, Suzanne < Smith.Suzanne@epa.gov>

Subject: RE: SSM SIPs

## Ex. 5 AC/DP

From: Smith, Suzanne

Sent: Friday, March 01, 2019 9:37 AM

To: Bartley, Richard <Bartley.Richard@epa.gov>

Subject: FW: SSM SIPs

### Ex. 5 AC/DP

Suzanne J. Smith | Multimedia Counseling Branch Chief Office of Regional Counsel | EPA Region 6 | 214.665.8027

From: Palmer, Leif

Sent: Friday, March 01, 2019 9:17 AM

To: Payne, James <payne.james@epa.gov>; Schefski, Kenneth <<u>Schefski.Kenneth@epa.gov</u>>; Srinivasan, Gautam

<<u>Srinivasan.Gautam@epa.gov</u>>; Smith, Suzanne <<u>Smith.Suzanne@epa.gov</u>>

Cc: Rubini, Suzanne < Rubini. Suzanne@epa.gov>

Subject: RE: SSM SIPs

Leif Palmer Regional Counsel US EPA Region 4 61 Forsyth Street SW Atlanta, Georgia 30303 (404) 562-9542

### Ex. 6 Personal Privacy (PP)

From: Payne, James

Sent: Thursday, February 28, 2019 9:34 PM

To: Palmer, Leif <Palmer, Leif@epa.gov>; Schefski, Kenneth <Schefski.Kenneth@epa.gov>; Srinivasan, Gautam

<Srinivasan.Gautam@epa.gov>; Smith, Suzanne <Smith.Suzanne@epa.gov>

Subject: SSM SIPs

From: Bartley, Richard [Bartley.Richard@epa.gov]

**Sent**: 2/27/2019 8:36:58 PM

**To**: Shar, Alan [shar.alan@epa.gov]

CC: Smith, Suzanne [Smith.Suzanne@epa.gov]

**Subject**: FW: Texas SSM SIP Call - Pager for March 11 ADD Call

Attachments: R6 Consistency Paper - Texas SSM - ADD call March 2019 - Feb 27 Draft .docx

Feel free to share with Michael and Guy

From: Bartley, Richard

Sent: Wednesday, February 27, 2019 2:28 PM

To: Shar, Alan <shar.alan@epa.gov>

Cc: Lessard, Patrick < Lessard. Patrick@epa.gov>

Subject: Texas SSM SIP Call - Pager for March 11 ADD Call

All -

## Ex. 5 AC/DP

Rick

From: Bartley, Richard [Bartley.Richard@epa.gov]

**Sent**: 4/19/2019 5:40:27 PM

To: Bianco, Karen [Bianco.Karen@epa.gov]

CC: Shar, Alan [shar.alan@epa.gov]; Lessard, Patrick [Lessard.Patrick@epa.gov]; Smith, Suzanne

[Smith.Suzanne@epa.gov]; Smith, Kristi [Smith.Kristi@epa.gov]

**Subject**: RE: Texas SSM draft for your review

Hi Karen -

# Ex. 5 AC/DP

Thanks,

Rick

From: Bartley, Richard

Sent: Thursday, April 18, 2019 11:17 AM

**To:** Smith, Kristi <Smith.Kristi@epa.gov>; Bianco, Karen <Bianco.Karen@epa.gov>

Cc: Shar, Alan <shar.alan@epa.gov>; Lessard, Patrick <Lessard.Patrick@epa.gov>; Smith, Suzanne

<Smith.Suzanne@epa.gov>

Subject: Re: Texas SSM draft for your review

We're on it. Will let you know.

From: Smith, Kristi

Sent: Thursday, April 18, 2019 10:53 AM

To: Bianco, Karen

Cc: Shar, Alan; Bartley, Richard; Lessard, Patrick; Smith, Suzanne

Subject: Re: Texas SSM draft for your review

Hi all,

### Ex. 5 AC/DP

- Kristi

Kristi M. Smith \* Assistant General Counsel for the NAAQS Implementation Group \* Air & Radiation Law Office \* US EPA, Office of General Counsel \* smith.kristi@epa.gov \* (202) 564-3068\*

CONFIDENTIAL communication for internal deliberations only; may contain deliberative, attorney-client, attorney work product, or otherwise privileged material; do not distribute outside EPA or DOJ.

On Apr 17, 2019, at 8:41 AM, Bianco, Karen < Bianco, Karen@epa.gov > wrote:

From: Bianco, Karen

Sent: Friday, April 12, 2019 3:28 PM

To: Shar, Alan <<u>shar.alan@epa.gov</u>>; Bartley, Richard <<u>Bartley.Richard@epa.gov</u>>; Lessard, Patrick

<Lessard.Patrick@epa.gov>

**Cc:** Smith, Kristi < Smith. Kristi@epa.gov > **Subject:** FW: Texas SSM draft for your review

Please see below.

From: Schwab, Justin

Sent: Friday, April 12, 2019 3:21 PM

**To:** Bianco, Karen < Bianco, Karen@epa.gov > **Subject:** RE: Texas SSM draft for your review

From: Bartley, Richard [Bartley.Richard@epa.gov]

**Sent**: 3/21/2019 7:34:30 PM

To: Watson, Lucinda [Watson.Lucinda@epa.gov]
CC: Smith, Suzanne [Smith.Suzanne@epa.gov]
Subject: Re: Texas SSM SIP Call - Status Update

## Ex. 5 AC/DP

From: Watson, Lucinda

Sent: Thursday, March 21, 2019 12:35 PM

**To:** Bartley, Richard **Cc:** Smith, Suzanne

Subject: Re: Texas SSM SIP Call - Status Update

## Ex. 5 AC/DP

Sent from my iPhone

On Mar 21, 2019, at 12:27 PM, Bartley, Richard < Bartley.Richard@epa.gov > wrote:

## Ex. 5 AC/DP

From: Watson, Lucinda

**Sent:** Thursday, March 21, 2019 12:05 PM **To:** Smith, Suzanne < Smith.Suzanne@epa.gov > Cc: Bartley, Richard < Bartley.Richard@epa.gov > Subject: Re: Texas SSM SIP Call - Status Update

### Ex. 5 AC/DP

Sent from my iPhone

On Mar 21, 2019, at 12:02 PM, Watson, Lucinda < Watson.Lucinda@epa.gov > wrote:

## Ex. 5 AC/DP

Sent from my iPhone

On Mar 21, 2019, at 11:43 AM, Smith, Suzanne < <a href="mailto:Smith.Suzanne@epa.gov">Smith.Suzanne@epa.gov</a>> wrote:

Ex. 5 AC/DP

Sent from my iPhone

On Mar 21, 2019, at 9:39 AM, Watson, Lucinda <a href="https://www.atson.lucinda@epa.gov">wrote</a>:

## Ex. 5 AC/DP

Sent from my iPhone

On Mar 21, 2019, at 11:33 AM, Bartley, Richard <a href="mailto:Rartley-Richard@epa.gov">Rartley-Richard@epa.gov</a>> wrote:

## Ex. 5 AC/DP

From: Smith, Suzanne

Sent: Thursday, March 21, 2019 11:31

AM

To: Bartley, Richard

<Bartley.Richard@epa.gov>

Cc: Watson, Lucinda

< Watson. Lucinda@epa.gov>

Subject: Re: Texas SSM SIP Call - Status

Update

## Ex. 5 AC/DP

Sent from my iPhone

On Mar 21, 2019, at 7:50 AM, Bartley, Richard < Bartley.Richard@epa.gov> wrote:

Hi Lucinda -

Thanks,

Rick

From: Bartley, Richard [Bartley.Richard@epa.gov]

**Sent**: 3/8/2019 3:40:25 PM

To: Smith, Suzanne [Smith.Suzanne@epa.gov]; Watson, Lucinda [Watson.Lucinda@epa.gov]

Subject: RE: Texas SSM SIP Call

## Ex. 5 AC/DP

Rick

From: Smith, Suzanne

Sent: Friday, March 08, 2019 7:51 AM

To: Watson, Lucinda <Watson.Lucinda@epa.gov> Cc: Bartley, Richard <Bartley.Richard@epa.gov>

Subject: RE: Texas SSM SIP Call

## Ex. 5 AC/DP

Suzanne J. Smith | Multimedia Counseling Branch Chief Office of Regional Counsel | EPA Region 6 | 214.665.8027

From: Watson, Lucinda

**Sent:** Thursday, March 07, 2019 6:16 PM **To:** Smith, Suzanne < Smith.Suzanne@epa.gov > Cc: Bartley, Richard < Bartley.Richard@epa.gov >

Subject: Re: Texas SSM SIP Call

### Ex. 5 AC/DP

Sent from my iPhone

On Mar 7, 2019, at 6:06 PM, Smith, Suzanne < Smith.Suzanne@epa.gov > wrote:

Ex. 5 AC/DP

Sent from my iPhone

On Mar 7, 2019, at 5:00 PM, Watson, Lucinda < Watson, Lucinda@epa.gov> wrote:

From: Bartley, Richard

Sent: Thursday, March 7, 2019 4:58 PM

To: Watson, Lucinda < Watson. Lucinda@epa.gov>; Smith, Suzanne

<<u>Smith.Suzanne@epa.gov</u>> **Subject:** RE: Texas SSM SIP Call

Lucinda -

### Ex. 5 AC/DP

Rick

From: Watson, Lucinda

Sent: Thursday, March 07, 2019 2:49 PM

**To:** Bartley, Richard < <a href="mailto:Bartley.Richard@epa.gov">Bartley, Richard@epa.gov</a>>; Smith, Suzanne

<<u>Smith.Suzanne@epa.gov</u>> **Subject:** RE: Texas SSM SIP Call

## Ex. 5 AC/DP

From: Watson, Lucinda

Sent: Thursday, March 7, 2019 2:38 PM

To: Bartley, Richard < <a href="mailto:Bartley.Richard@epa.gov">Bartley.Richard@epa.gov</a>; Smith, Suzanne

<<u>Smith.Suzanne@epa.gov</u>> **Subject:** RE: Texas SSM SIP Call

# Ex. 5 AC/DP

From: Bartley, Richard

Sent: Thursday, March 7, 2019 2:36 PM

To: Watson, Lucinda < Watson. Lucinda@epa.gov>; Smith, Suzanne

<<u>Smith.Suzanne@epa.gov</u>> **Subject:** RE: Texas SSM SIP Call

### Ex. 5 AC/DP

From: Watson, Lucinda

Sent: Thursday, March 07, 2019 2:33 PM

To: Smith, Suzanne <<u>Smith.Suzanne@epa.gov</u>>; Bartley, Richard

<<u>Bartley.Richard@epa.gov</u>> **Subject:** RE: Texas SSM SIP Call

From: Smith, Suzanne

Sent: Thursday, March 7, 2019 9:50 AM

To: Watson, Lucinda < Watson, Lucinda@epa.gov>; Bartley, Richard

<<u>Bartley.Richard@epa.gov</u>> **Subject:** RE: Texas SSM SIP Call

## Ex. 5 AC/DP

Suzanne J. Smith | Multimedia Counseling Branch Chief Office of Regional Counsel | EPA Region 6 | 214.665.8027

From: Watson, Lucinda

Sent: Thursday, March 07, 2019 9:40 AM

**To:** Bartley, Richard < Bartley, Richard@epa.gov > Cc: Smith, Suzanne < Smith, Suzanne@epa.gov >

**Subject:** RE: Texas SSM SIP Call

## Ex. 5 AC/DP

From: Bartley, Richard

Sent: Thursday, March 7, 2019 9:23 AM

To: Morgan, Jeanette < Morgan. Jeanette@epa.gov>

**Cc:** Smith, Suzanne < Smith. Suzanne@epa.gov>; Payne, James < payne.james@epa.gov>; Harrison, Ben < Harrison.Ben@epa.gov>; Watson, Lucinda < Watson.Lucinda@epa.gov>

Subject: Texas SSM SIP Call

Hi Jeanette -

Rick

## Ex. 5 AC/DP

Richard H. Bartley | Air Programs Coordinator | Office of Regional Counsel | U.S. EPA Region 6 | 214.665.8046

CONFIDENTIALITY NOTICE: The contents of this transmission and any attachments may contain deliberative, attorney-client, attorney work product, or otherwise privileged material. Do not release under FOIA without appropriate legal review. If you are not the intended recipient or believe you have received this communication in error, please do not read, print, distribute, copy, retransmit, disseminate, otherwise use the information, or take action in reliance upon this communication. Rather, please immediately notify me and delete the transmission and all attachments from your machine including all storage media, whether electronic or hard copy. Thank you.

From: Bartley, Richard [Bartley.Richard@epa.gov]

**Sent**: 3/20/2019 10:13:18 PM

To: Smith, Suzanne [Smith.Suzanne@epa.gov]
CC: Watson, Lucinda [Watson.Lucinda@epa.gov]

**Subject**: FW: Texas SSM SIP Call - Draft NPRM - Level 2 Review

Attachments: Draft NPRM to withdraw the TX SSM SIP call 3\_20\_2019.docx

FYI.

From: Bartley, Richard

Sent: Wednesday, March 20, 2019 5:10 PM

To: Lessard, Patrick <Lessard.Patrick@epa.gov>; Bianco, Karen <Bianco.Karen@epa.gov>; Shar, Alan

<shar.alan@epa.gov>

Subject: Texas SSM SIP Call - Draft NPRM - Level 2 Review

All -

# Ex. 5 AC/DP

Thanks all,

Rick

From: Bartley, Richard [Bartley.Richard@epa.gov]

**Sent**: 3/20/2019 6:58:56 PM

To: Watson, Lucinda [Watson.Lucinda@epa.gov]; Bianco, Karen [Bianco.Karen@epa.gov]
CC: Smith, Kristi [Smith.Kristi@epa.gov]; Smith, Suzanne [Smith.Suzanne@epa.gov]

Subject: RE: Texas SSM SIP Call - Suggested language for SUMMARY section in NPRM (PRIVILEGED)

All -

## Ex. 5 AC/DP

Rick

From: Watson, Lucinda

**Sent:** Wednesday, March 20, 2019 12:35 PM **To:** Bianco, Karen < Bianco. Karen@epa.gov>

Cc: Bartley, Richard <Bartley.Richard@epa.gov>; Smith, Kristi <Smith.Kristi@epa.gov>; Smith, Suzanne

<Smith.Suzanne@epa.gov>

Subject: RE: Texas SSM SIP Call - Suggested language for SUMMARY section in NPRM (PRIVILEGED)

### Ex. 5 AC/DP

From: Bianco, Karen

**Sent:** Wednesday, March 20, 2019 12:33 PM **To:** Watson, Lucinda <a href="mailto:Vatson.Lucinda@epa.gov">Vatson.Lucinda@epa.gov</a>

Cc: Bartley, Richard < Bartley.Richard@epa.gov >; Smith, Kristi < Smith.Kristi@epa.gov >; Smith, Suzanne

<Smith.Suzanne@epa.gov>

Subject: RE: Texas SSM SIP Call - Suggested language for SUMMARY section in NPRM (PRIVILEGED)

Hi all,

### Ex. 5 AC/DP

Karen

From: Watson, Lucinda

**Sent:** Wednesday, March 20, 2019 12:52 PM **To:** Bianco, Karen < Bianco. Karen@epa.gov >

Cc: Bartley, Richard <Bartley.Richard@epa.gov>; Smith, Kristi <Smith.Kristi@epa.gov>; Smith, Suzanne

<Smith.Suzanne@epa.gov>

Subject: RE: Texas SSM SIP Call - Suggested language for SUMMARY section in NPRM (PRIVILEGED)

From: Bianco, Karen

**Sent:** Wednesday, March 20, 2019 10:30 AM **To:** Watson, Lucinda < Watson. Lucinda@epa.gov>

Cc: Bartley, Richard < Bartley.Richard@epa.gov >; Smith, Kristi < Smith.Kristi@epa.gov >; Smith, Suzanne

<Smith.Suzanne@epa.gov>

Subject: RE: Texas SSM SIP Call - Suggested language for SUMMARY section in NPRM (PRIVILEGED)

# Ex. 5 AC/DP

From: Watson, Lucinda

**Sent:** Wednesday, March 20, 2019 9:55 AM **To:** Bianco, Karen < Bianco, Karen@epa.gov>

**Cc:** Bartley, Richard < <u>Bartley.Richard@epa.gov</u>>; Smith, Kristi < <u>Smith.Kristi@epa.gov</u>>; Smith, Suzanne

<Smith.Suzanne@epa.gov>

Subject: Re: Texas SSM SIP Call - Suggested language for SUMMARY section in NPRM (PRIVILEGED)

## Ex. 5 AC/DP

On Mar 20, 2019, at 7:24 AM, Bianco, Karen < Bianco.Karen@epa.gov > wrote:

Hello Rick and Lucinda,

Thanks for continuing to work through this with us. Karen

From: Bartley, Richard

Sent: Tuesday, March 19, 2019 6:29 PM
To: Bianco, Karen < Bianco. Karen@epa.gov >
Cc: Watson, Lucinda < Watson. Lucinda@epa.gov >

Subject: Texas SSM SIP Call - Suggested language for SUMMARY section in NPRM (PRIVILEGED)

PRIVILEGED COMMUNICATION

Hi Karen -

# Ex. 5 AC/DP

Rick

From: Bartley, Richard [Bartley.Richard@epa.gov]

**Sent**: 4/1/2019 8:50:56 PM

To: Watson, Lucinda [Watson.Lucinda@epa.gov]; Smith, Suzanne [Smith.Suzanne@epa.gov]

Subject: Re: Texas SSM SIP Call - Draft NPRM for Political Level Review

### Ex. 5 AC/DP

From: Watson, Lucinda

**Sent:** Monday, April 1, 2019 2:05 PM **To:** Bartley, Richard; Smith, Suzanne

Subject: RE: Texas SSM SIP Call - Draft NPRM for Political Level Review

## Ex. 5 AC/DP

From: Bartley, Richard

Sent: Monday, April 1, 2019 9:56 AM

To: Smith, Suzanne <Smith.Suzanne@epa.gov> Cc: Watson, Lucinda <Watson.Lucinda@epa.gov>

Subject: Texas SSM SIP Call - Draft NPRM for Political Level Review

Hi Suzanne -

# Ex. 5 AC/DP

Thanks,

Rick

Richard H. Bartley | Air Programs Coordinator | Office of Regional Counsel | U.S. EPA Region 6 | 214.665.8046

CONFIDENTIALITY NOTICE: The contents of this transmission and any attachments may contain deliberative, attorney-client, attorney work product, or otherwise privileged material. Do not release under FOIA without appropriate legal review. If you are not the intended recipient or believe you have received this communication in error, please do not read, print, distribute, copy, retransmit, disseminate, otherwise use the information, or take action in reliance upon this communication. Rather, please immediately notify me and delete the transmission and all attachments from your machine including all storage media, whether electronic or hard copy. Thank you.

From: Bartley, Richard [Bartley.Richard@epa.gov]

**Sent**: 10/16/2018 4:30:07 PM

To: Smith, Suzanne [Smith.Suzanne@epa.gov]
Subject: FW: Question that occurred to me after our call

Attachments: regional consistency concurrence memo\_draft\_10.16.18\_for Bill.docx; 2018-10-16 draft\_ltr granting pet for recon of

SSM SIP to Texas (CLEAN) Niermann.docx

Hi Suzanne -

# Ex. 5 AC/DP

Rick

Richard H. Bartley | Air Programs Coordinator | Office of Regional Counsel | U.S. EPA Region 6 | 214.665.8046

CONFIDENTIALITY NOTICE: The contents of this transmission and any attachments may contain deliberative, attorney-client, attorney work product, or otherwise privileged material. Do not release under FOIA without appropriate legal review. If you are not the intended recipient or believe you have received this communication in error, please do not read, print, distribute, copy, retransmit, disseminate, otherwise use the information, or take action in reliance upon this communication. Rather, please immediately notify me and delete the transmission and all attachments from your machine including all storage media, whether electronic or hard copy. Thank you.

From: Donaldson, Guy

Sent: Tuesday, October 16, 2018 9:09 AM

**To:** Stenger, Wren <stenger.wren@epa.gov>; Price, Lisa <Price.Lisa@epa.gov>; Smith, Suzanne <Smith.Suzanne@epa.gov>; Feldman, Michael <Feldman.Michael@epa.gov>; Bartley, Richard

<Bartley.Richard@epa.gov>

Cc: Shar, Alan <shar.alan@epa.gov>

**Subject:** FW: Question that occurred to me after our call

From: Brachtl, Megan

Sent: Tuesday, October 16, 2018 8:42 AM

To: Smith, Kristi <Smith.Kristi@epa.gov>; Donaldson, Guy <Donaldson.Guy@epa.gov>

Cc: Smith, Suzanne < Smith. Suzanne@epa.gov>; Seidman, Emily < seidman.emily@epa.gov>; Santiago, Juan

<<u>Santiago.Juan@epa.gov</u>>; Selbst, Elizabeth <<u>selbst.elizabeth@epa.gov</u>>

Subject: RE: Question that occurred to me after our call

# Ex. 5 AC/DP

Thanks, Megan

Megan V. Brachtl, Group Leader State and Local Programs Group Office of Air Quality Planning and Standards U.S. Environmental Protection Agency (919) 541-2648 brachtl.megan@epa.gov

From: Brachtl, Megan

Sent: Tuesday, October 16, 2018 8:45 AM

To: Smith, Kristi <a href="mailto:Smith.Kristi@epa.gov">Smith, Kristi <a href="mailto:Smith.Kristi@epa.gov">Smith, Kristi@epa.gov</a>>; Donaldson, Guy <a href="mailto:Donaldson.Guy@epa.gov">Donaldson.Guy@epa.gov</a>>

Cc: Smith, Suzanne < Smith. Suzanne@epa.gov>

**Subject:** RE: Question that occurred to me after our call

## Ex. 5 AC/DP

Megan V. Brachtl, Group Leader State and Local Programs Group Office of Air Quality Planning and Standards U.S. Environmental Protection Agency (919) 541-2648

brachtl.megan@epa.gov

From: Smith, Kristi

Sent: Monday, October 15, 2018 5:33 PM

To: Donaldson, Guy < Donaldson.Guy@epa.gov>; Brachtl, Megan < Brachtl.Megan@epa.gov>

Cc: Smith, Suzanne <Smith.Suzanne@epa.gov>

Subject: RE: Question that occurred to me after our call

Guy -

- Kristi

Kristi M. Smith \* Assistant General Counsel for the NAAQS Implementation Group \* Air & Radiation Law Office \* US EPA, Office of General Counsel \* smith.kristi@epa.gov \* (202) 564-3068 \*

CONFIDENTIAL communication for internal deliberations only; may contain deliberative, attorney-client, attorney work product, or otherwise privileged material; do not distribute outside EPA or DOJ.

From: Donaldson, Guy

Sent: Monday, October 15, 2018 3:05 PM

To: Brachtl, Megan <a href="mailto:Brachtl.Megan@epa.gov">Brachtl.Megan@epa.gov</a>; Smith, Kristi <a href="mailto:Smith.Kristi@epa.gov">Smith, Kristi@epa.gov</a>>>

**Cc:** Smith, Suzanne < Smith.Suzanne@epa.gov> **Subject:** Question that occurred to me after our call

From: Shar, Alan [shar.alan@epa.gov]

**Sent**: 4/1/2019 7:18:21 PM

To: Donaldson, Guy [Donaldson.Guy@epa.gov]

Subject: FW: Texas SSM SIP Call - Draft NPRM for Political Level Review

Attachments: Texas SSM SIP Call - NPRM - Draft - Political Review - April 1, 2019.docx

### Ex. 5 AC/DP

Alan

From: Bartley, Richard

Sent: Monday, April 1, 2019 9:56 AM

To: Smith, Suzanne <Smith.Suzanne@epa.gov> Cc: Watson, Lucinda <Watson.Lucinda@epa.gov>

Subject: Texas SSM SIP Call - Draft NPRM for Political Level Review

Hi Suzanne -

# Ex. 5 AC/DP

Thanks,

Rick

Richard H. Bartley | Air Programs Coordinator | Office of Regional Counsel | U.S. EPA Region 6 | 214.665.8046

CONFIDENTIALITY NOTICE: The contents of this transmission and any attachments may contain deliberative, attorney-client, attorney work product, or otherwise privileged material. Do not release under FOIA without appropriate legal review. If you are not the intended recipient or believe you have received this communication in error, please do not read, print, distribute, copy, retransmit, disseminate, otherwise use the information, or take action in reliance upon this communication. Rather, please immediately notify me and delete the transmission and all attachments from your machine including all storage media, whether electronic or hard copy. Thank you.

From: Donaldson, Guy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D2A0969773664CC3B6EB1208748F1A5D-DONALDSON, GUY]

**Sent**: 4/8/2019 1:06:18 PM

To: Stenger, Wren [stenger.wren@epa.gov]

Subject: RE: Texas SSM SIP Call - Draft NPRM for Political Level Review

I will check. The deadline isn't until Wednesday though

From: Stenger, Wren

Sent: Monday, April 08, 2019 7:48 AM

To: Donaldson, Guy < Donaldson. Guy@epa.gov>

Subject: FW: Texas SSM SIP Call - Draft NPRM for Political Level Review

### Ex. 5 AC/DP

From: Chancellor, Erin

Sent: Friday, April 05, 2019 5:25 PM

To: Stenger, Wren <stenger.wren@epa.gov>; Gray, David <gray.david@epa.gov>

Subject: RE: Texas SSM SIP Call - Draft NPRM for Political Level Review

### Ex. 5 AC/DP

#### Erin E. Chancellor

Chief of Staff | Office of the Regional Administrator U.S. EPA Region 6 214.665.2112 (o) | 214.601.1292 (c)

(3) 3(31.100.413 | (0) 3113.000.413

chancellor.erin@epa.gov

From: Stenger, Wren

Sent: Tuesday, April 2, 2019 12:50 PM

To: Gray, David <gray.david@epa.gov>; Chancellor, Erin <chancellor.erin@epa.gov>

Subject: FW: Texas SSM SIP Call - Draft NPRM for Political Level Review

From: Donaldson, Guy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D2A0969773664CC3B6EB1208748F1A5D-DONALDSON, GUY]

**Sent**: 4/23/2019 7:34:43 PM

To: Bartley, Richard [Bartley.Richard@epa.gov]
Subject: RE: Texas SSM SIP Call - NPRM Update

thanks

From: Bartley, Richard

**Sent:** Tuesday, April 23, 2019 2:32 PM

**To:** Donaldson, Guy <Donaldson.Guy@epa.gov>; Smith, Suzanne <Smith.Suzanne@epa.gov>; Stenger, Wren <stenger.wren@epa.gov>; Payne, James <payne.james@epa.gov>; Jones, Bruced <Jones.Bruced@epa.gov>

Cc: Shar, Alan <shar.alan@epa.gov>; Feldman, Michael <Feldman.Michael@epa.gov>

Subject: RE: Texas SSM SIP Call - NPRM Update

Hi Guy -

### Ex. 5 AC/DP

Rick

From: Donaldson, Guy

Sent: Tuesday, April 23, 2019 2:27 PM

**To:** Bartley, Richard <a href="mailto:Smith.Suzanne@epa.gov">Stenger, Wren <a href="

Cc: Shar, Alan <shar.alan@epa.gov>; Feldman, Michael <Feldman.Michael@epa.gov>

Subject: RE: Texas SSM SIP Call - NPRM Update

Rick,

## Ex. 5 AC/DP

From: Bartley, Richard

Sent: Tuesday, April 23, 2019 1:25 PM

**To:** Donaldson, Guy < <u>Donaldson, Guy@epa.gov</u>>; Smith, Suzanne < <u>Smith, Suzanne@epa.gov</u>>; Stenger, Wren < stenger, wren@epa.gov>; Payne, James < payne, james@epa.gov>; Jones, Bruced < Jones, Bruced@epa.gov>

Cc: Shar, Alan <shar.alan@epa.gov>; Feldman, Michael <Feldman.Michael@epa.gov>

Subject: Texas SSM SIP Call - NPRM Update

All –

### Ex. 5 AC/DP

Rick

From: Bartley, Richard

Sent: Tuesday, April 23, 2019 11:56 AM

**To:** Donaldson, Guy <<u>Donaldson.Guy@epa.gov</u>>; Smith, Suzanne <<u>Smith.Suzanne@epa.gov</u>>; Stenger, Wren <<u>stenger.wren@epa.gov</u>>; Payne, James <<u>payne.james@epa.gov</u>>; Jones, Bruced <<u>Jones.Bruced@epa.gov</u>>

Cc: Shar, Alan <shar.alan@epa.gov>; Feldman, Michael <Feldman.Michael@epa.gov>

Subject: FW: PRF - looking for signed copy

Importance: High

All -

## Ex. 5 AC/DP

Thanks,

Rick

From: Janis Hudson < janis.hudson@tceq.texas.gov>

Sent: Tuesday, April 23, 2019 9:42 AM

To: Bartley, Richard < Bartley. Richard @epa.gov>

Subject: PRF - looking for signed copy

Importance: High

I also left you a vm message about this.

From: "Gray, David" <gray.david@epa.gov>
Date: April 23, 2019 at 7:11:00 AM CDT

To: Toby Baker <Toby.Baker@tceq.texas.gov>, Stephanie Bergeron Perdue

<Stephanie.Bergeron\_Perdue@tceq.texas.gov>

Subject: Heads Up

Embargoed - Do not distribute, cite or quote

GM Toby and Stephanie,

Ex. 5 AC/DP

Best, David

From: Donaldson, Guy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D2A0969773664CC3B6EB1208748F1A5D-DONALDSON, GUY]

**Sent**: 10/26/2018 7:00:23 PM

**To**: Bartley, Richard [Bartley.Richard@epa.gov]

Subject: RE: Follow-up to Today's Call Re: TCEQ's Petition for Reconsideration of Texas's SSM SIP Call

Thank you.

From: Bartley, Richard

Sent: Friday, October 26, 2018 1:47 PM

To: Donaldson, Guy < Donaldson. Guy@epa.gov>

Cc: Smith, Suzanne <Smith.Suzanne@epa.gov>; Shar, Alan <shar.alan@epa.gov>; Feldman, Michael

<Feldman.Michael@epa.gov>

Subject: RE: Follow-up to Today's Call Re: TCEQ's Petition for Reconsideration of Texas's SSM SIP Call

Hi Guy -

# Ex. 5 AC/DP

-Rick

NB: I may be on travel to ODEQ with Jeff's group on the Nov. 29th date noted by Janis above.

Richard H. Bartley | Air Programs Coordinator | Office of Regional Counsel | U.S. EPA Region 6 | 214.665.8046

CONFIDENTIALITY NOTICE: The contents of this transmission and any attachments may contain deliberative, attorney-client, attorney work product, or otherwise privileged material. Do not release under FOIA without appropriate legal review. If you are not the intended recipient or believe you have received this communication in error, please do not read, print, distribute, copy, retransmit, disseminate, otherwise use the information, or take action in reliance upon this communication. Rather, please immediately notify me and delete the transmission and all attachments from your machine including all storage media, whether electronic or hard copy. Thank you.

From: Donaldson, Guy

Sent: Friday, October 26, 2018 9:33 AM

To: Bartley, Richard <Bartley.Richard@epa.gov>

Subject: RE: Follow-up to Today's Call Re: TCEQ's Petition for Reconsideration of Texas's SSM SIP Call

From: Bartley, Richard

**Sent:** Wednesday, October 24, 2018 5:06 PM **To:** Donaldson, Guy < <u>Donaldson, Guy@epa.gov</u>>

Subject: Follow-up to Today's Call Re: TCEQ's Petition for Reconsideration of Texas's SSM SIP Call

Hi Guy -

### Ex. 5 AC/DP

Rick

Richard H. Bartley | Air Programs Coordinator | Office of Regional Counsel | U.S. EPA Region 6 | 214.665.8046

CONFIDENTIALITY NOTICE: The contents of this transmission and any attachments may contain deliberative, attorney-client, attorney work product, or otherwise privileged material. Do not release under FOIA without appropriate legal review. If you are not the intended recipient or believe you have received this communication in error, please do not read, print, distribute, copy, retransmit, disseminate, otherwise use the information, or take action in reliance upon this communication. Rather, please immediately notify me and delete the transmission and all attachments from your machine including all storage media, whether electronic or hard copy. Thank you.

From: Donaldson, Guy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D2A0969773664CC3B6EB1208748F1A5D-DONALDSON, GUY]

**Sent**: 4/23/2019 12:03:06 PM

To: Perez, Idalia [Perez.Idalia@epa.gov]

**Subject**: RE: Close Hold: TX SSM SIP Call Withdrawal proposal

### Thank you

From: Perez, Idalia

Sent: Monday, April 22, 2019 5:08 PM

To: Air Division Directors and Deputies <Air\_Division\_Directors\_and\_Deputies@epa.gov>

Cc: Donaldson, Guy <Donaldson.Guy@epa.gov>; Santiago, Juan <Santiago.Juan@epa.gov>; Lessard, Patrick

<Lessard.Patrick@epa.gov>; Brachtl, Megan <Brachtl.Megan@epa.gov>

Subject: Close Hold: TX SSM SIP Call Withdrawal proposal

# Ex. 5 AC/DP

#### -Idalia

Idalia M. Pérez, Ph.D. | OAR Lead Region Coordinator U.S. Environmental Protection Agency – Region 9 75 Hawthorne St. (AIR-1), San Francisco, CA 94105 P: 415.972.3248 | email: perez.idalia@epa.gov OAR Lead Region SharePoint Site

Our mission is to protect human health and the environment.

From: Donaldson, Guy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D2A0969773664CC3B6EB1208748F1A5D-DONALDSON, GUY]

**Sent**: 4/22/2019 8:48:37 PM

To: Shar, Alan [shar.alan@epa.gov]

**CC**: Bartley, Richard [Bartley.Richard@epa.gov]

Subject: FW: heads-up: for sharing with ADDs once TX SM SIP Call Withdrawal proposal is signed

Attachments: FAQs Texas SSM SIP Call Withdrawal 4 22 2019 rev.docx

Importance: High

### Ex. 5 AC/DP

From: Brachtl, Megan

**Sent:** Monday, April 22, 2019 3:46 PM **To:** Perez, Idalia <a href="mailto:Perez.Idalia@epa.gov">Perez.Idalia@epa.gov</a>

Cc: Donaldson, Guy <Donaldson.Guy@epa.gov>; Santiago, Juan <Santiago.Juan@epa.gov>; Lessard, Patrick

<Lessard.Patrick@epa.gov>

Subject: heads-up: for sharing with ADDs once TX SM SIP Call Withdrawal proposal is signed

Importance: High

Hi Idalia,

## Ex. 5 AC/DP

Thanks for your help, Megan

Megan V. Brachtl, Group Leader State and Local Programs Group Office of Air Quality Planning and Standards U.S. Environmental Protection Agency (919) 541-2648 brachtl.megan@epa.gov

From: Donaldson, Guy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D2A0969773664CC3B6EB1208748F1A5D-DONALDSON, GUY]

**Sent**: 9/27/2018 12:49:09 PM

**To**: Bartley, Richard [Bartley.Richard@epa.gov]

**Subject**: RE: Conversation with Steve and Janis (PRIVILEGED)

I will be back in the office after lunch. I will call you then.

From: Bartley, Richard

**Sent:** Wednesday, September 26, 2018 3:37 PM **To:** Donaldson, Guy <Donaldson.Guy@epa.gov>

Subject: RE: Conversation with Steve and Janis (PRIVILEGED)

Hi Guy -

# Ex. 5 AC/DP

Rick

From: Donaldson, Guy

**Sent:** Friday, September 21, 2018 1:35 PM **To:** Bartley, Richard < <u>Bartley, Richard@epa.gov</u>>

Subject: RE: Conversation with Steve and Janis (PRIVILEGED)

Please call me and lets discuss.

From: Bartley, Richard

**Sent:** Friday, September 21, 2018 10:05 AM **To:** Donaldson, Guy <Donaldson:Guy@epa.gov>

Subject: Re: Conversation with Steve and Janis (PRIVILEGED)

Rick

From: Donaldson, Guy

Sent: Friday, September 21, 2018 8:00 AM

To: Bartley, Richard

Subject: RE: Conversation with Steve and Janis (PRIVILEGED)

# Ex. 5 AC/DP

From: Bartley, Richard

**Sent:** Thursday, September 20, 2018 5:30 PM **To:** Donaldson, Guy < Donaldson.Guy@epa.gov>

Subject: RE: Conversation with Steve and Janis (PRIVILEGED)

### **PRIVILEGED COMMUNICATION – DO NOT RELEASE**

Hi Guy -

Thanks,

Rick

#### Ex. 5 AC/DP

From: Bartley, Richard

Sent: Wednesday, September 19, 2018 3:47 PM

To: Donaldson, Guy < <u>Donaldson.Guy@epa.gov</u>>; Shar, Alan < <u>shar.alan@epa.gov</u>>; Feldman, Michael

<Feldman.Michael@epa.gov>

Cc: Smith, Suzanne < Smith.Suzanne@epa.gov>

Subject: RE: Conversation with Steve and Janis (PRIVILEGED)

#### PRIVILEGED COMMUNICATION

# Ex. 5 AC/DP

Rick

Richard H. Bartley Air Programs Coordinator Office of Regional Counsel U.S. EPA, Region 6 Dallas, Texas

PH: 214.546.9899

From: Donaldson, Guy

Sent: Wednesday, September 19, 2018 2:14 PM

To: Shar, Alan <shar.alan@epa.gov>; Bartley, Richard <Bartley.Richard@epa.gov>; Feldman, Michael

<Feldman.Michael@epa.gov>

Subject: Conversation with Steve and Janis

From: Donaldson, Guy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D2A0969773664CC3B6EB1208748F1A5D-DONALDSON, GUY]

**Sent**: 4/22/2019 12:42:41 PM

To: Stenger, Wren [stenger.wren@epa.gov]; Price, Lisa [Price.Lisa@epa.gov]

**Subject**: FW: Texas SSM draft for your review

From: Bianco, Karen

Sent: Monday, April 22, 2019 7:38 AM

To: Shar, Alan <shar.alan@epa.gov>; Smith, Kristi <Smith.Kristi@epa.gov>

Cc: Bartley, Richard <Bartley.Richard@epa.gov>; Smith, Suzanne <Smith.Suzanne@epa.gov>; Lessard, Patrick

<Lessard.Patrick@epa.gov>; Donaldson, Guy <Donaldson.Guy@epa.gov>; Feldman, Michael

<Feldman.Michael@epa.gov>

Subject: RE: Texas SSM draft for your review

Hello all,

#### Ex. 5 AC/DP

Thanks, Karen

From: Smith, Kristi

Sent: Thursday, April 18, 2019 10:53 AM

To: Bianco, Karen

Cc: Shar, Alan; Bartley, Richard; Lessard, Patrick; Smith, Suzanne

Subject: Re: Texas SSM draft for your review

Hi all,

#### Ex. 5 AC/DP

- Kristi

Kristi M. Smith \* Assistant General Counsel for the NAAQS Implementation Group \* Air & Radiation Law Office \* US EPA, Office of General Counsel \* <a href="mailto:smith.kristi@epa.gov">smith.kristi@epa.gov</a> \* (202) 564-3068\*

CONFIDENTIAL communication for internal deliberations only; may contain deliberative, attorney-client, attorney work product, or otherwise privileged material; do not distribute outside EPA or DOJ.

On Apr 17, 2019, at 8:41 AM, Bianco, Karen < Bianco.Karen@epa.gov > wrote:

### Ex. 5 AC/DP

From: Bianco, Karen

**Sent:** Friday, April 12, 2019 3:28 PM

To: Shar, Alan <<u>shar.alan@epa.gov</u>>; Bartley, Richard <<u>Bartley.Richard@epa.gov</u>>; Lessard, Patrick

<Lessard.Patrick@epa.gov>

**Cc:** Smith, Kristi < <a href="mailto:Smith.Kristi@epa.gov">Subject: FW: Texas SSM draft for your review">FW: Texas SSM draft for your review</a>

Please see below.

From: Schwab, Justin

Sent: Friday, April 12, 2019 3:21 PM

**To:** Bianco, Karen < Bianco. Karen@epa.gov > **Subject:** RE: Texas SSM draft for your review

From: Donaldson, Guy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D2A0969773664CC3B6EB1208748F1A5D-DONALDSON, GUY]

**Sent**: 4/17/2019 1:00:02 PM

To: Bartley, Richard [Bartley.Richard@epa.gov]; Shar, Alan [shar.alan@epa.gov]; Young, Carl [young.carl@epa.gov]

Subject: FW: FOR REVIEW - Draft Proposal for the Texas SSM SIP Call Withdrawal

# Ex. 5 AC/DP

From: Woods, Clint

**Sent:** Wednesday, April 17, 2019 7:46 AM **To:** Bianco, Karen <Bianco.Karen@epa.gov>

**Cc:** Koerber, Mike <Koerber.Mike@epa.gov>; Lewis, Josh <Lewis.Josh@epa.gov>; Santiago, Juan

<Santiago.Juan@epa.gov>; Idsal, Anne <idsal.anne@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>; Stenger, Wren

<stenger.wren@epa.gov>; Brachtl, Megan <Brachtl.Megan@epa.gov>; Donaldson, Guy <Donaldson.Guy@epa.gov>;
Lessard, Patrick <Lessard.Patrick@epa.gov>; Feldman, Michael <Feldman.Michael@epa.gov>; Shar, Alan

<shar.alan@epa.gov>; Bartley, Richard <Bartley.Richard@epa.gov>; Smith, Kristi <Smith.Kristi@epa.gov>

Subject: Re: FOR REVIEW - Draft Proposal for the Texas SSM SIP Call Withdrawal

Karen,

### Ex. 5 AC/DP

Clint

On Apr 16, 2019, at 12:34 PM, Bianco, Karen < Bianco, Karen@epa.gov > wrote:

Hello Clint,

Thank you, Karen

From: Woods, Clint

Sent: Tuesday, April 16, 2019 8:54 AM

To: Koerber, Mike < Koerber\_Mike@epa.gov >; Lewis, Josh < Lewis\_Josh@epa.gov >

Cc: Santiago, Juan <<u>Santiago Juan@epa.gov</u>>; Idsal, Anne <<u>idsal.anne@epa.gov</u>>; Schwab, Justin

<<u>Schwab.Justin@epa.gov</u>>; Stenger, Wren <<u>stenger.wren@epa.gov</u>>

Subject: RE: FOR REVIEW - Draft Proposal for the Texas SSM SIP Call Withdrawal

### Ex. 5 AC/DP

Thanks!

From: Koerber, Mike

Sent: Thursday, April 4, 2019 8:53 AM

To: Lewis, Josh < Lewis, Josh@epa.gov >; Woods, Clint < woods.clint@epa.gov >

Cc: Santiago, Juan <Santiago.Juan@epa.gov>

Subject: Fwd: FOR REVIEW - Draft Proposal for the Texas SSM SIP Call Withdrawal

### Ex. 5 AC/DP

Mike

Begin forwarded message:

From: "Santiago, Juan" < Santiago. Juan@epa.gov>

Date: April 2, 2019 at 4:36:26 PM EDT

**To:** "Koerber, Mike" < <u>Koerber.Mike@epa.gov</u>>

Cc: "Brachtl, Megan" < <a href="mailto:Brachtl.Megan@epa.gov">Brachtl, Megan@epa.gov</a>>, "Lessard, Patrick"

<Lessard.Patrick@epa.gov>, "Selbst, Elizabeth" <selbst.elizabeth@epa.gov>, "Long,

Pam" <Long.Pam@epa.gov>

Subject: FOR REVIEW - Draft Proposal for the Texas SSM SIP Call Withdrawal

Mike,

Thanks!

Juan

From: Donaldson, Guy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D2A0969773664CC3B6EB1208748F1A5D-DONALDSON, GUY]

**Sent**: 3/13/2019 6:39:45 PM

To: Bianco, Karen [Bianco.Karen@epa.gov]

Subject: RE: Regional Consistency Language for Proposed FRN

Thank you

From: Bianco, Karen

**Sent:** Wednesday, March 13, 2019 1:38 PM **To:** Donaldson, Guy <Donaldson.Guy@epa.gov>

**Cc:** Bartley, Richard <Bartley.Richard@epa.gov>; Brachtl, Megan <Brachtl.Megan@epa.gov>; Smith, Suzanne <Smith.Suzanne@epa.gov>; Watson, Lucinda <Watson.Lucinda@epa.gov>; Shar, Alan <shar.alan@epa.gov>

Subject: RE: Regional Consistency Language for Proposed FRN

#### Ex. 5 AC/DP

From: Donaldson, Guy

**Sent:** Wednesday, March 13, 2019 9:06 AM **To:** Bianco, Karen <Bianco, Karen@epa.gov>

**Cc:** Bartley, Richard < <a href="mailto:Bartley.Richard@epa.gov">Brachtl, Megan < <a href="mailto:Brachtl.Megan@epa.gov">Brachtl.Megan@epa.gov</a>; Smith, Suzanne <a href="mailto:Smith.Suzanne@epa.gov">Smith, Suzanne@epa.gov</a>; Shar, Alan <a href="mailto:Smith.Suzanne@epa.gov">Shar, Alan <a href="mailto:Smith.Suzanne@epa.gov">Shar, Alan <a href="mailto:Smith.Suzanne@epa.gov">Shar, Alan <a href="mailto:Smith.Suzanne@epa.gov">Brachtl.Megan@epa.gov</a>; Shar, Alan <a href="mailto:Smith.Suzanne@epa.gov">Shar, Alan <a href="mailto:Smith.Suzanne@epa.gov">Smith.Suzanne@epa.gov</a>)

Subject: RE: Regional Consistency Language for Proposed FRN

#### Ex. 5 AC/DP

From: Bianco, Karen

Sent: Wednesday, March 13, 2019 7:46 AM

To: Bartley, Richard <a href="mailto:Richard@epa.gov">Remker, Carol <a href="mailto:Kemker.Carol@epa.gov">Kemker, Carol <a href="mailto:Kemker.Carol@epa.gov">Kemker, Carol <a href="mailto:Kemker.Carol@epa.gov">Kemker, Carol@epa.gov</a>>; Smith, Kristi <a href="mailto:Kemker.Carol@epa.gov">Smith, Kemker.Carol@epa.gov</a>); Brachtley Carol@epa.gov</a>

Cc: wood, Anna <<u>vvood.Anna@epa.gov</u>>; Smith, Kristi <<u>Smith.Knsti@epa.gov</u>>; Brachti, Megan

<<u>Brachtl.Megan@epa.gov</u>>; Benjamin, Lynorae <<u>benjamin.lynorae@epa.gov</u>>; Shar, Alan <<u>shar.alan@epa.gov</u>>; Dopaldson, Guy < Dopaldson, Guy <

Donaldson, Guy <a href="mailto:Suzanne@epa.gov">Donaldson.Guy@epa.gov">Donaldson.Guy@epa.gov</a>; Smith, Suzanne <a href="mailto:Suzanne@epa.gov">Smith.Suzanne@epa.gov</a>; Watson, Lucinda

<<u>Watson.Lucinda@epa.gov</u>>; Lessard, Patrick <<u>Lessard.Patrick@epa.gov</u>>

Subject: RE: Regional Consistency Language for Proposed FRN

Hello all,

### Ex. 5 AC/DP

Thank you.

Karen

Karen Bennett Bianco | U.S. Environmental Protection Agency Attorney-Adviser | Office of General Counsel | WJCN 7426X | 202-564-3298 From: Bartley, Richard

**Sent:** Tuesday, March 12, 2019 6:54 PM **To:** Kemker, Carol <a href="mailto:Kemker.Carol@epa.gov">Kemker.Carol@epa.gov</a>>

Cc: Wood, Anna < Wood. Anna@epa.gov >; Smith, Kristi < Smith. Kristi@epa.gov >; Brachtl, Megan < Brachtl. Megan@epa.gov >; Benjamin, Lynorae < benjamin.lynorae@epa.gov >; Shar, Alan < Shar.alan@epa.gov >; Donaldson, Guy < Donaldson, Guy @epa.gov >; Smith, Suzanne < Smith. Suzanne@epa.gov >; Watson, Lucinda < Watson. Lucinda@epa.gov >; Bianco, Karen < Bianco. Karen@epa.gov >; Lessard, Patrick < Lessard. Patrick@epa.gov >

Subject: Regional Consistency Language for Proposed FRN

All -

## Ex. 5 AC/DP

Rick

Richard H. Bartley | Air Programs Coordinator | Office of Regional Counsel | U.S. EPA Region 6 | 214.665.8046

CONFIDENTIALITY NOTICE: The contents of this transmission and any attachments may contain deliberative, attorney-client, attorney work product, or otherwise privileged material. Do not release under FOIA without appropriate legal review. If you are not the intended recipient or believe you have received this communication in error, please do not read, print, distribute, copy, retransmit, disseminate, otherwise use the information, or take action in reliance upon this communication. Rather, please immediately notify me and delete the transmission and all attachments from your machine including all storage media, whether electronic or hard copy. Thank you.

.

From: Donaldson, Guy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D2A0969773664CC3B6EB1208748F1A5D-DONALDSON, GUY]

**Sent**: 6/21/2019 2:14:19 PM

To: Skinner-Thompson, Jonathan [Skinner-Thompson.Jonathan@epa.gov]; Bartley, Richard [Bartley.Richard@epa.gov];

Shar, Alan [shar.alan@epa.gov]

Subject: RE: Oklahoma SIP Update - Conference Call today (3pm EDT)

Its up to Rick. He was going to represent Region 6. Alan and I are unavailable. I think Rick will just call you.

----Original Appointment----

**From:** Skinner-Thompson, Jonathan **Sent:** Friday, June 21, 2019 9:06 AM

To: Bartley, Richard; Donaldson, Guy; Shar, Alan

Subject: Oklahoma SIP Update - Conference Call today (3pm EDT)

When: Friday, June 21, 2019 10:30 AM-11:00 AM (UTC-07:00) Mountain Time (US & Canada).

Where:

Could we move it up a little bit? I have an OMB call that was just scheduled over our original meeting. Apologies for the late notice. Does anyone have a call-in we could use?

From: Bartley, Richard

Sent: Tuesday, June 18, 2019 12:52 PM

To: Skinner-Thompson, Jonathan < Skinner-Thompson.Jonathan@epa.gov>; Donaldson, Guy < Donaldson.Guy@epa.gov>;

Shar, Alan <shar.alan@epa.gov>

Subject: RE: Oklahoma SIP Update - Conference Call today (3pm EDT)

Hi Jonathan -

No worries. Just let me know when would be a good time for you and I'll set it up

Rick

From: Skinner-Thompson, Jonathan Sent: Tuesday, June 18, 2019 1:37 PM

**To:** Donaldson, Guy <<u>Donaldson.Guy@epa.gov</u>>; Bartley, Richard <<u>Bartley.Richard@epa.gov</u>>; Rodman, Sonja <<u>Rodman.Sonja@epa.gov</u>>; Senter, Stephen <<u>Senter.Stephen@epa.gov</u>>; Shar, Alan <<u>shar.alan@epa.gov</u>>

Subject: RE: Oklahoma SIP Update - Conference Call today (3pm EDT)

Sounds good, thanks, Guy.

Jonathan Skinner-Thompson

Office of General Counsel | Air and Radiation Law Office | 303.312.6853

1595 Wynkoop Street, Denver CO 80202

From: Donaldson, Guy

Sent: Tuesday, June 18, 2019 12:36 PM

To: Skinner-Thompson, Jonathan <Skinner-Thompson.Jonathan@epa.gov>; Bartley, Richard <Bartley.Richard@epa.gov>;

Rodman, Sonja <Rodman.Sonja@epa.gov>; Senter, Stephen <Senter.Stephen@epa.gov>; Shar, Alan

Subject: RE: Oklahoma SIP Update - Conference Call today (3pm EDT)

Thanks Jonathan

# Ex. 5 AC/DP

**From:** Skinner-Thompson, Jonathan **Sent:** Tuesday, June 18, 2019 1:20 PM

**To:** Bartley, Richard < <a href="mailto:Richard@epa.gov">Rodman, Sonja < <a href="mailto:Rodman.Sonja@epa.gov">Rodman, Sonja@epa.gov</a>; Senter, Stephen <a href="mailto:Senter.Stephen@epa.gov">Senter.Stephen@epa.gov</a>; Donaldson, Guy <a href="mailto:Donaldson.Guy@epa.gov">Donaldson.Guy@epa.gov</a>; Shar, Alan <a href="mailto:Alan@epa.gov">Shar, Alan <a href="mailto:Alan@epa.gov">Donaldson <a href="mailto:Alan@epa.gov">Donaldson <a href="mailto:Alan@epa.gov">Shar, Alan <a href="mailto:Alan@epa.gov">Shar, Alan <a href="mailto:Alan@epa.gov">Shar, Alan <a href="mailto:Alan@epa.gov">Shar, Alan <a href="ma

Subject: RE: Oklahoma SIP Update - Conference Call today (3pm EDT)

Thanks, Rick—I think my reschedule notice must not have gone through. I am tied up on a rulemaking right now and cannot make today's meeting. I will have time after 3pm EDT tomorrow, however.

Jonathan Skinner-Thompson

Office of General Counsel | Air and Radiation Law Office | 303.312.6853

1595 Wynkoop Street, Denver CO 80202

From: Bartley, Richard

Sent: Tuesday, June 18, 2019 11:53 AM

**To:** Rodman, Sonja <<u>Rodman.Sonja@epa.gov</u>>; Senter, Stephen <<u>Senter.Stephen@epa.gov</u>>; Skinner-Thompson, Jonathan <<u>Skinner-Thompson.Jonathan@epa.gov</u>>; Donaldson, Guy <<u>Donaldson.Guy@epa.gov</u>>; Shar, Alan <shar.alan@epa.gov>

Subject: Oklahoma SIP Update - Conference Call today (3pm EDT)

All –

Attached is the current draft of the subject FRN that we may use for today's call. It's still a work in progress.

Thanks,

Rick

Richard H. Bartley | Air Programs Coordinator | Office of Regional Counsel | U.S. EPA Region 6 | 214.665.8046

CONFIDENTIALITY NOTICE: The contents of this transmission and any attachments may contain deliberative, attorney-client, attorney work product, or otherwise privileged material. Do not release under FOIA without appropriate legal review. If you are not the intended recipient or believe you have received this communication in error, please do not read, print, distribute, copy, retransmit, disseminate, otherwise use the information, or take action in reliance upon this communication. Rather, please immediately notify me and delete the transmission and all attachments from your machine including all storage media, whether electronic or hard copy. Thank you.



From: Bartley, Richard [Bartley.Richard@epa.gov]

**Sent**: 3/8/2019 4:34:20 PM

To: Smith, Kristi [Smith.Kristi@epa.gov]

Subject: RE: Draft NPRM to withdraw the TX SSM SIP call Region 6 3\_1\_2019.docx

#### Ex. 5 AC/DP

From: Smith, Kristi

Sent: Friday, March 08, 2019 10:30 AM

**To:** Donaldson, Guy <Donaldson.Guy@epa.gov>; Watson, Lucinda <Watson.Lucinda@epa.gov>; Smith, Suzanne

<Smith.Suzanne@epa.gov>; Bartley, Richard <Bartley.Richard@epa.gov>

Cc: Bianco, Karen <Bianco.Karen@epa.gov>; Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>; Seidman, Emily

<seidman.emily@epa.gov>

Subject: RE: Draft NPRM to withdraw the TX SSM SIP call Region 6 3\_1\_2019.docx

Adding Rick, Gautam, and Emily to make sure they are also in the loop.

Kristi M. Smith \* Assistant General Counsel for the NAAQS Implementation Group \* Air & Radiation Law Office \* US EPA, Office of General Counsel \* <a href="mailto:smith.kristi@epa.gov">smith.kristi@epa.gov</a> \* (202) 564-3068 \*

CONFIDENTIAL communication for internal deliberations only; may contain deliberative, attorney-client, attorney work product, or otherwise privileged material; do not distribute outside EPA or DOJ.

From: Smith, Kristi

Sent: Friday, March 08, 2019 11:29 AM

To: Donaldson, Guy < Donaldson. Guy@epa.gov>; Watson, Lucinda < Watson. Lucinda@epa.gov>; Suzanne Smith

<Smith.Suzanne@epa.gov>

Cc: Bianco, Karen < Bianco. Karen@epa.gov>

Subject: RE: Draft NPRM to withdraw the TX SSM SIP call Region 6 3\_1\_2019.docx

Hi all,

## Ex. 5 AC/DP

- Kristi

Kristi M. Smith \* Assistant General Counsel for the NAAQS Implementation Group \* Air & Radiation Law Office \* US EPA, Office of General Counsel \* smith.kristi@epa.gov \* (202) 564-3068 \*

CONFIDENTIAL communication for internal deliberations only; may contain deliberative, attorney-client, attorney work product, or otherwise privileged material; do not distribute outside EPA or DOJ.

From: Bianco, Karen

**Sent:** Thursday, March 07, 2019 7:28 PM **To:** Smith, Kristi < Smith, Kristi@epa.gov>

Subject: Fwd: Draft NPRM to withdraw the TX SSM SIP call Region 6 3\_1 2019.docx

Sent from my iPhone

Begin forwarded message:

From: "Bartley, Richard" <Bartley.Richard@epa.gov>

Date: March 7, 2019 at 5:47:03 PM EST

To: "Lessard, Patrick" < Lessard. Patrick@epa.gov>

Cc: "Shar, Alan" <<u>shar.alan@epa.gov</u>>, "Bianco, Karen" <<u>Bianco.Karen@epa.gov</u>>
Subject: FW: Draft NPRM to withdraw the TX SSM SIP call Region 6 3\_1\_2019.docx

Hi Patrick -

Attached please find the latest version of the subject document that will be discussed on Tuesday's call.

Rick

From: Watson, Lucinda

Sent: Thursday, March 07, 2019 2:37 PM

To: Bartley, Richard < Bartley, Richard@epa.gov>; Smith, Suzanne < Smith, Suzanne@epa.gov>

**Subject:** FW: Draft NPRM to withdraw the TX SSM SIP call Region 6 3\_1\_2019.docx

From: Stenger, Wren

Sent: Thursday, March 7, 2019 12:51 PM

To: Watson, Lucinda < Watson. Lucinda@epa.gov>

Subject: FW: Draft NPRM to withdraw the TX SSM SIP call Region 6 3\_1\_2019.docx

Lucinda, you are terrific! Thanks again for the fix on this.

From: Donaldson, Guy

**Sent:** Thursday, March 07, 2019 12:34 PM **To:** Stenger, Wren <stenger.wren@epa.gov>

**Subject:** Draft NPRM to withdraw the TX SSM SIP call Region 6 3\_1\_2019.docx

Wren,